

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C-09-2850 MMC

SUSAN K. TOOR,

Plaintiff,

v.

FARHAD KHAN, et al.,

Defendants

**ORDER DISCHARGING DECEMBER 8,
2009 ORDER TO SHOW CAUSE**

Before the Court is plaintiff's "Written Response Re: Order to Show Cause For Failure to Prosecute," filed December 23, 2009 in response to the Court's December 8, 2009 order directing plaintiff to show cause why her claims against defendants Farhad Khan ("Khan") and Vanda Karamehmedovic ("Karamehmedovic") should not be dismissed for failure to prosecute. Also before the Court are proofs of service filed by plaintiff on December 31, 2009, which filings supplement plaintiff's response to the December 8, 2009 order to show cause.¹

¹Plaintiff did not provide the Court with a chambers copy of the proofs of service she filed December 31, 2009. Although the Court has exercised its discretion to consider such filings, plaintiff, for future reference, is reminded of the following provision in the Court's Standing Orders: "In all cases that have been assigned to the Electronic Case Filing Program, the parties are required to provide for use in chambers one paper copy of each document that is filed electronically. The paper copy of each such document shall be delivered no later than noon on the day after the document is filed electronically. The paper copy shall be marked 'Chambers Copy' and shall be delivered to the Clerk's Office in an envelope clearly marked with the judge's name, case number, and 'E-Filing Chambers Copy.'"

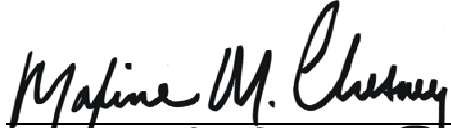
1 As is explained therein, the Court's December 8, 2009 order directing plaintiff to
2 show cause was issued because the docket did not reflect plaintiff had served the Second
3 Amended Complaint ("SAC") on either Khan or Karamehmedovic. Plaintiff, in her response
4 to said order, has offered evidence to demonstrate that, shortly after she electronically filed
5 the SAC, she served by mail the SAC on both Khan and Karamehmedovic at their last
6 known addresses of record.

7 Accordingly, the December 8, 2009 order is hereby DISCHARGED.

8 Plaintiff is reminded that, with respect to all future filings, she is obligated to file proof
9 of service on both Khan and Karamehmedovic, as neither of those parties is an ECF User
10 and, thus, is not served by e-mail when a document is electronically filed.

11 **IT IS SO ORDERED.**

12
13 Dated: January 8, 2010


MAXINE M. CHESNEY
United States District Judge